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Daniel Dymtrow

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DANIEL DYMTROW,	:	CIVIL ACTION
	:	
Plaintiff,	:	THE HON. RICHARD J. SULLIVAN, U.S.D.J.
	:	CIVIL ACTION NO. 1:07-cv-11277 (RJS)
-v-	:	
	:	
TAYLOR SWIFT, SCOTT SWIFT, and	:	DECLARATION OF
ANDREA SWIFT,	:	DANIEL DYMTROW
	:	IN OPPOSITION TO
	:	DEFENDANTS' MOTION
	:	TO DISMISS
Defendants.	:	

DANIEL DYMTROW, being of full age, hereby certifies:

1. I submit this declaration in support of my opposition to Swift's motion to dismiss the Complaint and to clarify certain points made by the Swifts in their memorandum of law that are either misleading, or just simply not true. I have not addressed all of the factual allegations even if not true, but only those I thought required a response for purposes of their motion.

2. I am 33 years old and I earn a living as a personal music manager. My compensation for my services in that capacity is almost exclusively derived from commissions (usually 20% which is relatively standard) earned from contracts that I procure for my clients.

3. I have been a music manager since 1998 and I was an integral part of the management team that represented Britney Spears from the time she was 16 years old. Ms. Spears hired me as her exclusive personal manager and I served her in that capacity between 2004 and 2007, a time when she experienced phenomenal success.

4. When I met and interviewed then thirteen-year-old Taylor Swift in early 2003 and heard her sing and play guitar, I concluded that she, although very young and immature at the time, had the potential to become a star in the country music world with proper guidance and management, and with my contacts in the entertainment industry and my experience.

5. When I agreed to sign Taylor as my client, I immediately began efforts to manage her career. My efforts on her behalf spanned the course of almost two-and-one-half years, not the one-year suggested by the Swifts in their legal brief.

6. My experience in the entertainment business has taught me that much time and effort goes into preparing an artist for success. This initial preparation rarely yields any significant compensation. Rather, these efforts act as building blocks to prepare an artist for success. The compensation usually gets paid when the preparatory work leads to contracts that compensate the artist, and in turn, the artist's manager. It typically takes many years to reach that point and that point is often never reached. Many of the early contracts entered into by a music artist are not for compensation; and instead they provide the artist with the opportunity of being exposed to the public. That mass public exposure is the draw. Once the public takes

interest in an artist, it is then that the contracts begin to have a monetary component for the artist, and it is at that point that I begin to be paid.

7. For example, when I arranged for Taylor to be part of Abercrombie & Fitch's national "Rising Stars" advertising campaign without even an audition, the opportunity of being in the forefront of the public eye as a singer/songwriter was the real benefit, not the minimal compensation that came with it. Attached as **EXHIBIT A** is a copy of the Abercrombie & Fitch's national "Rising Stars" advertising campaign featuring Taylor Swift. See also Complaint, Exhibit D which attaches a true and correct copy of the Abercrombie & Fitch contract.

8. Likewise, when I arranged for a record/development contract (an initial draft of which is attached as **EXHIBIT B**) for Taylor with RCA Label Group RLG/Nashville ("RCA") in or August 2003, Taylor entered into this opportunity, not for the compensation (there was none), but rather to be part of a recognized label and experience all the musical development benefits from that opportunity. RCA is one of the most prominent and elite music labels in the world.

9. I also arranged for Taylor to attend and perform at "America's Camp" and Britney Spears' Camp for the Performing Arts along side other notable artists. This opportunity gave Taylor instant access to the fan base of accomplished musicians and pop stars. This opportunity exposed Taylor and her music to an established fan base from which she could begin to draw her own fans.

10. Anastasia Brown's new book entitled *Make Me A Star* discusses Taylor Swift's rise to stardom, references some of the opportunities I created for Taylor, and contains an acknowledgement from record label executive Scott Borchetta, then an executive with

DreamWorks' Nashville Division (and now President of Big Machine Records), of how important the image and "package" that Taylor exuded was for him and played a deciding role in his decision to sign her to a record deal. Attached as **EXHIBIT C** is a copy of an excerpt from *Make Me A Star*.

11. So when the Swifts claim as they do in their legal argument that I "managed to obtain only one deal – a photo shoot worth \$10,000," a statement like that hurts and paints a distorted picture of my efforts on behalf of Taylor. The deal with Abercrombie was not about the \$10,000 fee she earned, it was about getting her face on billboards and store displays across the country. **See Exhibit A.**

12. Other similar opportunities I arranged for Taylor include:

- I arranged for Taylor to participate in music showcases where she would perform at meetings coordinated with recording company executives (including Arista Records Nashville, BNA Records Label, Capitol Records Nashville, Dreamworks Nashville, Jive Records, RCA Records Label, Warner Brothers Records, and Warner Brothers Nashville), including at the Bluebird Cafe. **See Exhibit C.**
- I arranged for appropriate publicity opportunities for Taylor. Taylor appeared in *Vanity Fair* magazine's October 2004 issue and in other magazine and newspaper articles where her career was profiled. Attached as **EXHIBIT D** is a copy of an excerpt about Taylor from *Vanity Fair* magazine's October 2004 issue.
- I arranged for Taylor to appear on a *Good Morning America* segment which profiled her life and allowed her to perform live on the show.

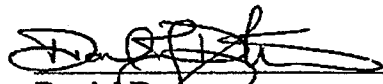
- I arranged for the Sony/ATV music publishing contract that Taylor signed. Attached to the Complaint as Exhibit C is a true and correct copy of the Sony/ATV music publishing contract.
- I arranged and negotiated terms of the Big Machine Records (BMR) record contract directly with BMR's President, Scott Borchetta, before I was terminated. I later learned Taylor signed with Big Machine Records shortly thereafter.
- I arranged and negotiated terms of the Creative Artists Agency ("CAA") talent contract before I was terminated. I later learned Taylor signed with CAA shortly thereafter.

13. I was paid less than \$10,000 for all my efforts and am still owed moneys under the contracts I negotiated for Taylor.

14. During the course of my two-and-one-half year relationship with the Swifts, they made me many promises that they would reward me for my efforts, treat me fairly, and protect my economic interests. They were fully aware of my efforts in creating an image for Taylor.

15. Many of these promises were made verbally, but some were made in writing. Attached as **EXHIBIT E** is a true copy of an email sent by Scott Swift memorializing some of the promises he made to me. There are several other emails relaying similar promises.

Pursuant to 28 U.S.C. 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

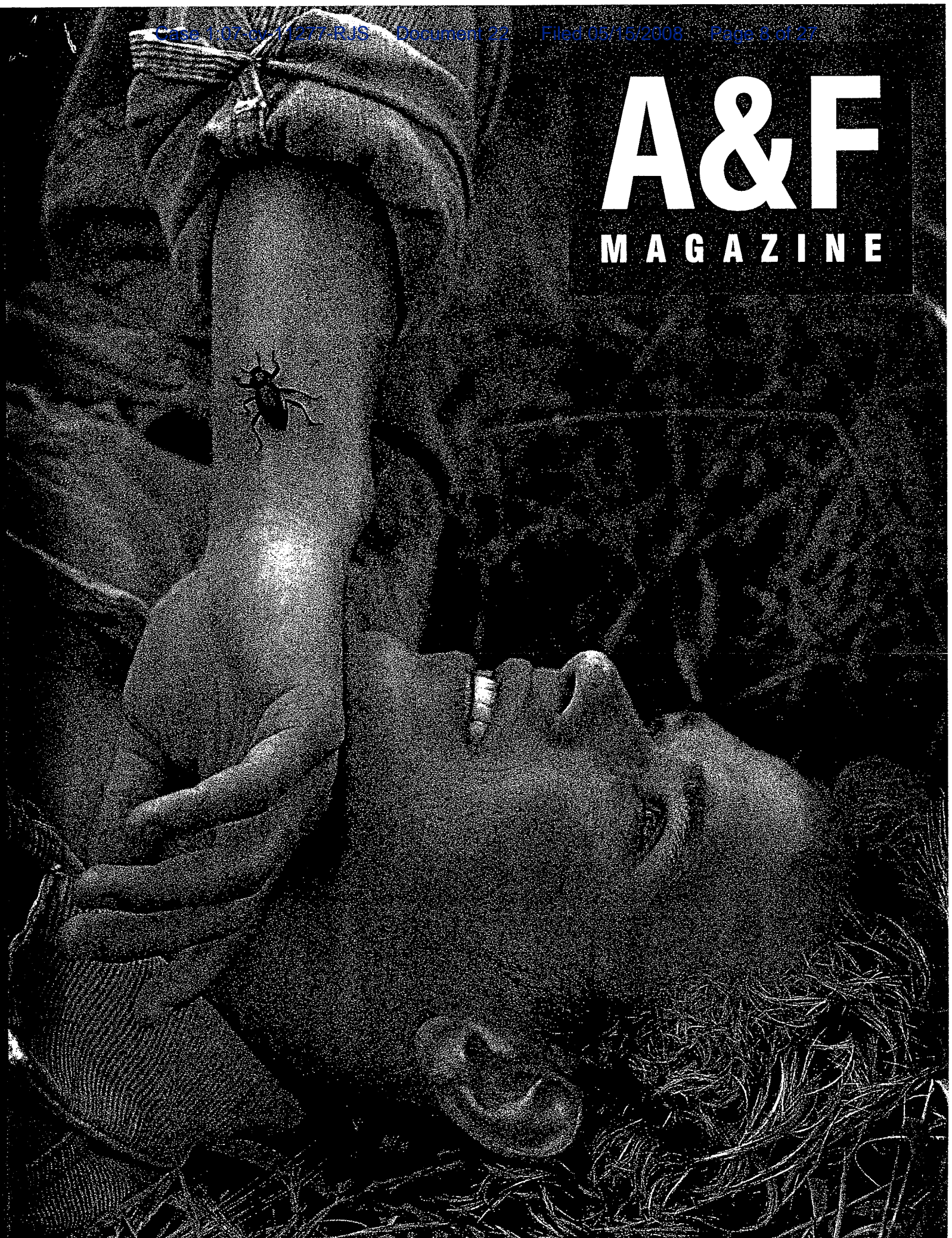

Daniel Dymtrow

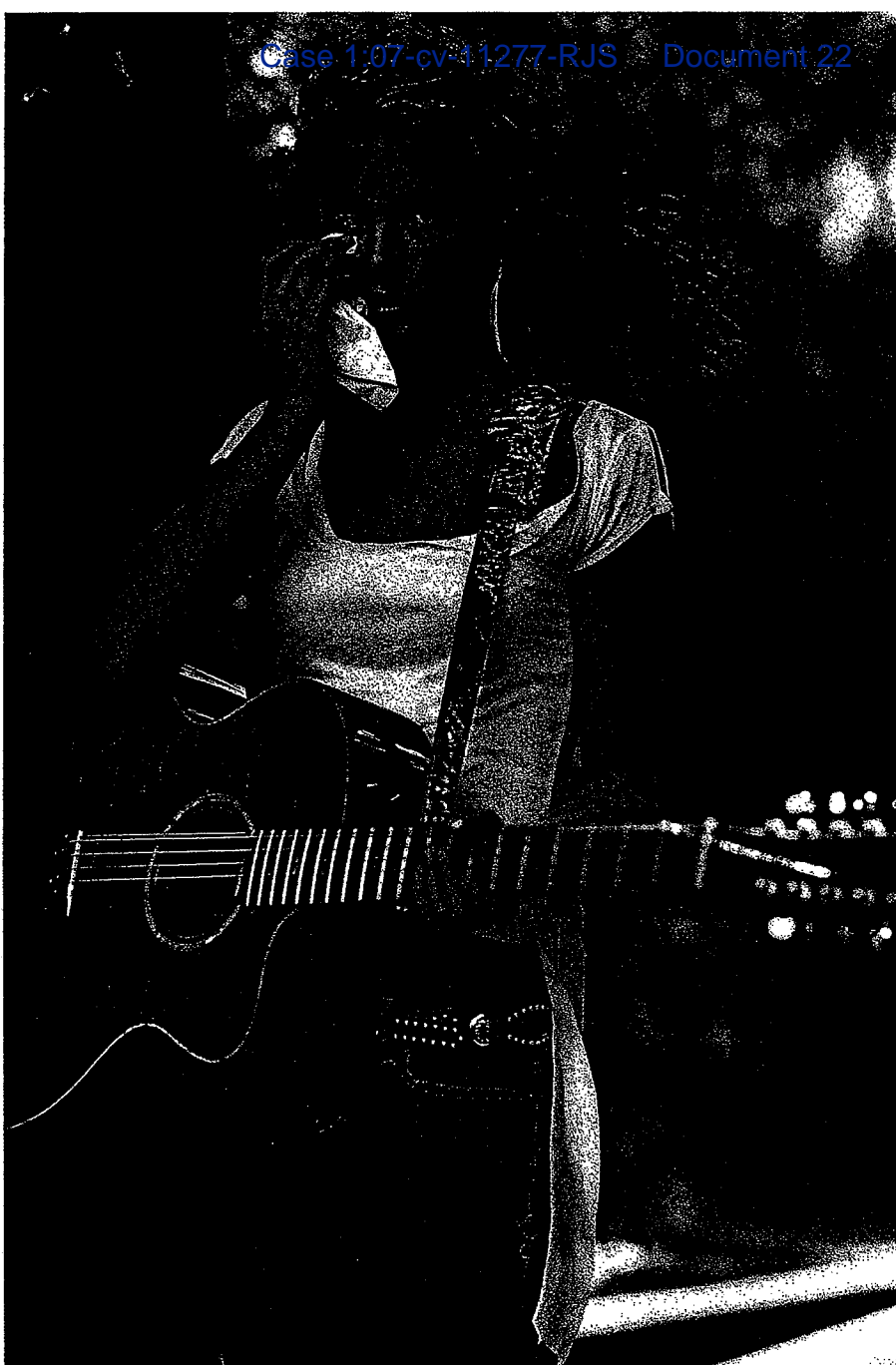
May 14, 2008

“EXHIBIT A”

A&F

MAGAZINE





TAYLOR SWIFT

"After I sang the national anthem at the U.S. Open last year, a top music manager signed me as his client. Now I have a record contract with RCA and I'm moving to Nashville with my family. I write all of my own songs, and my roots are in country. I love the sound of fiddles and mandolins ringing in my ears and I love the stories you hear in country ballads. I sometimes write about teenage love, but I am presently a fourteen-year-old girl without a boyfriend. Sometimes I worry that I must be wearing some sort of guy repellent, but then I realize that I'm just discovering who I am as a person. Right now, music is the most important thing in my life, and I want to touch people with my songs."

“EXHIBIT B”

August 26, 2003

Taylor Swift
c/o Vivien Lewit, Esq.
Davis Shapiro Lewit Montone & Hayes, LLP
689 Fifth Avenue, 5th Floor
New York, NY 10022

Dear Taylor:

When signed below in the places provided therefor, the following shall constitute an agreement between you and RCA Label Group RLG/Nashville, a unit of BMG Music ("RLG").

1. You shall perform at "demonstration sessions" (as such term is commonly understood in the recording industry) for the recording of four (4) or more musical compositions (the "Demo Masters") and shall deliver the Demo Masters to RLG at 1400 18th Avenue South, Nashville, TN 37212 not later than September 30, 2004. RLG shall own all rights, including all copyrights and any renewals and/or extensions of copyrights in the Demo Masters, all duplicates and derivatives thereof, and the performances embodied therein but not in the underlying compositions. The Demo Masters shall be deemed works made for hire within the meaning of the United States Copyright Act. If, for any reason, any Demo Master is determined not to be a work made for hire, you hereby assign to RLG in perpetuity all rights in and to each such Demo Master, including, without limitation, all copyrights and renewal rights and extensions thereto.
2. (a) RLG shall pay all costs in connection with the making of the Demo Masters up to an approved budget of Twenty Thousand Dollars (\$20,000.00) (the "Costs").

(b) When RLG requests your presence in Nashville, Tennessee, RLG agrees to pay the costs of travel, including hotel accommodations, and a per diem for you and a chaperone, pursuant, in each instance, to a schedule and budget approved in advance by RLG.
3. (a) You shall not negotiate with any third party for your recording services for sixty (60) days following delivery of the Demo Masters (the "Option Period"). If RLG desires to acquire your recording services, RLG will so notify you by sending you written notice on or before the last day of the Option Period. Upon such notice, you and RLG shall promptly enter into good faith negotiations regarding the material terms of an agreement for your exclusive recording services (the "Recording Agreement").

(b) If you and RLG enter into a Recording Agreement, RLG shall have the right to charge the Costs and the cost of any travel, hotel accommodations and per diems against royalties accruing or becoming payable under the Recording Agreement, and the Demo Masters shall be deemed to be master recordings under the Recording Agreement, subject to all of the terms and conditions of the Recording Agreement (but the Demo Masters will not be in satisfaction of any recording obligation thereunder unless such Demo Masters are embodied on an album released by RLG under the Recording Agreement).

4. (a) In the event that you and RLG enter into negotiations as provided in paragraph 3(a) above, but you and RLG do not reach an agreement as to the material terms of a Recording Agreement within sixty (60) days following the commencement of such negotiations, then you may negotiate with third parties ("Third Party(ies)") with respect to your recording services. If you receive an offer from any such Third Party and commence negotiations with such Third Party resulting in a negotiated offer ("Offer") containing substantially similar terms or terms which are less favorable to you than the terms offered by RLG, you shall furnish to RLG a copy of the written Offer from such third party ("Offer Notice"), and RLG shall have the right to match the Offer by sending notice to you within thirty (30) days ("Notice Period") after RLG's receipt of the Offer Notice.

(b) If RLG elects to match the Offer prior to the end of the Notice Period, you shall not have the right to enter into an agreement with the Third Party and shall enter into an agreement with RLG on the terms of the Offer as well as such additional terms and conditions customarily contained in exclusive recording agreements, which shall be negotiated in good faith by the parties.

(c) If RLG does not elect to match the Offer prior to the end of the Notice Period, you shall have the right to enter into the Third Party agreement only on the terms of the Offer or better terms.

5. You warrant and represent that you have the right to enter into this agreement. You further warrant and represent that each Demo Master is and shall be free of all claims by third parties and that RLG shall not be liable for any costs, fees, advances or other charges in connection with the Demo Masters except as set out herein. You indemnify RLG and hold RLG harmless from and against any losses and damages (including reasonable attorneys' fees) arising out of any claim by any third party which is inconsistent with any warranty, representation, promise or covenant made by you herein.

6. This agreement shall be construed under the laws of the State of Tennessee applicable to agreements to be performed wholly therein, and both parties agree that only

the Tennessee courts shall have jurisdiction over this agreement and any controversies arising out of the agreement.

Very truly yours,

RCA LABEL GROUP RLG/NASHVILLE,
A UNIT OF BMG MUSIC

By: _____
KATHERINE E. WOODS
Sr. VP, Legal & Business Affairs

ACCEPTED AND AGREED TO:

TAYLOR SWIFT

Date of Birth: _____
Social Security #: _____

By: _____
"Mother and Natural Guardian"
of Taylor Swift

Address: _____

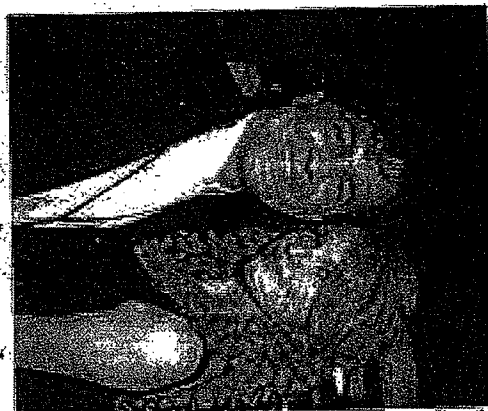
Date: _____

By: _____
"Father and Natural Guardian"
of Taylor Swift

Address: _____

Date: _____

“EXHIBIT C”



Credit: Hannah Blaney

SCOTT BORCHETTA: SIGNING TAYLOR SWIFT

When Scott first heard about Taylor, he was working for DreamWorks Nashville division, and the label was in the process of closing. The person who managed Taylor at the time sent Scott a package on the then fourteen-year-old singer.

"It was a great package," Scott recalls. "There was music and top-notch photos, and the bio was right. There was an Abercrombie & Fitch spread that Taylor had a full page in, and it

just knocked me over the head."

Scott set up a meeting with Taylor and her manager. "Taylor was a little bit shy and obviously intimidated," Scott says. "I had her start playing and playing. I think she played ten songs, and I was just knocked out.

"I went to see her a couple nights later at the Bluebird Cafe, and she sat there with people like Robert Ellis Orrall and Michael Peterson and absolutely held her own. So I got to know her family and said, 'Here's the deal. I'm going to start my own label. If you'll wait, I promise you a record deal. That's all I can do.' They looked at me like I was nuts and left, but Taylor called me about ten days later and said she had made up her mind, she was waiting for me."

Big Machine released Taylor's album in the fall of 2006, when she was sixteen years old. By the time she turned eighteen, it had sold nearly 2 million copies.

“EXHIBIT D”

THE 10TH ANNUAL NEW ESTABLISHMENT

VANITY FAIR

**SPECIAL
INVESTIGATION**

OCTOBER 2004

THE PATH TO FLORIDA

WHAT REALLY
HAPPENED IN THE
2000 ELECTION
AND WHAT'S GOING
DOWN RIGHT NOW!

BY DAVID MARGOLICK,
EVGENIA PERETZ, AND
MICHAEL SHNAYERSON

NEW QUESTIONS ABOUT PRINCESS DIANA'S DEATH

BY TOM SARANTON

**FRAN
LEBOWITZ**
ON CHURCH
AND STATE

**GISELE
NAKED**
AND ON
THE BEACH

PHOTOS BY
PATRICK DEMARCHELIER

GONE WILD!

WITH SIX FILMS
ON THE WAY, NEWLY
BACHELORIZED JUDE LAW
IS A ONE-MAN
BRITISH INVASION!

BY KRISTEN SMITH

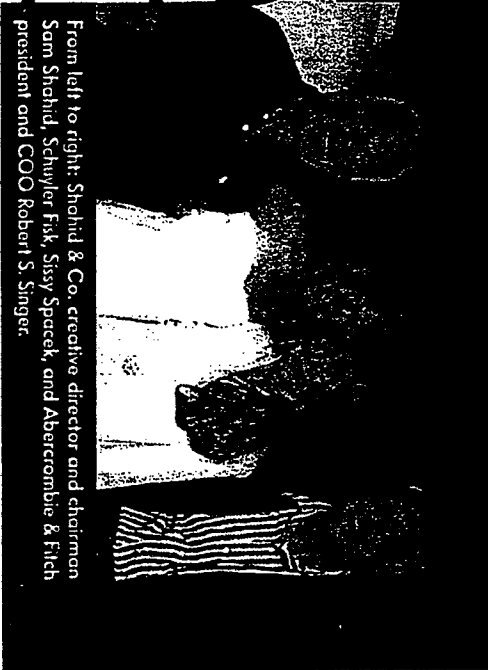
PHOTOS BY ANNIE LEBOVITZ

"The greater man
the greater courtesy."
—ALFRED, LORD HENRYSON

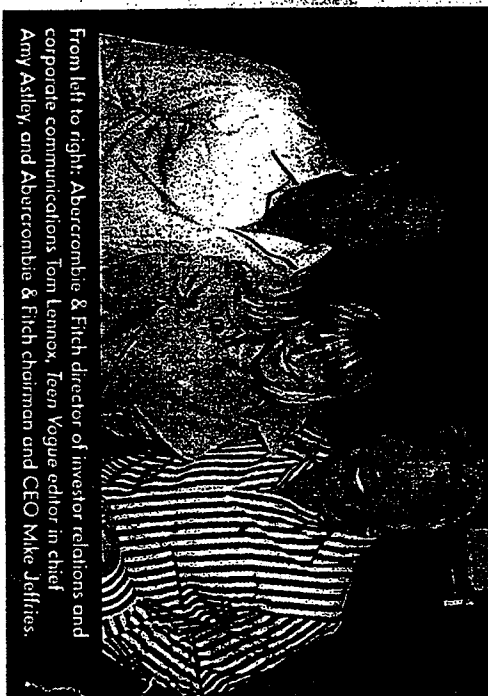
\$4.50 U.S.

AGENDA

VANITY FAIR AGENDA ADVERTISING AND PROMOTION • EVENTS AND OPPORTUNITIES



From left to right: Shahid & Co. creative director and chairman Sam Shahid, Schuyler Fisk, Sissy Spacek, and Abercrombie & Fitch president and COO Robert S. Singer.



From left to right: Abercrombie & Fitch director of investor relations and corporate communications Tom Lennox, Teen Vogue editor in chief Amy Astley, and Abercrombie & Fitch chairman and CEO Mike Jeffries.

STYLE UNDER THE STARS

On Wednesday, July 14, *Vanity Fair* and Abercrombie & Fitch celebrated the launch of *A&F Magazine* with an exclusive party on the rooftop of the Hotel Gansevoort in New York City. The inaugural issue of the magazine spotlights Abercrombie & Fitch's "Rising Stars" campaign, which features the gifted newcomers of tomorrow, from Hollywood royalty and up-and-coming musicians to surfers and snowboarders. Some of Abercrombie & Fitch's hottest "Rising Stars" attended the party, including singer Taylor Swift, who gave a live performance; actress Schuyler Fisk, daughter of Sissy Spacek; and DJ Dimitri Hamlin, son of Ursula Andress and Harry Hamlin. The event was an incredible success, turning out celebrities and notables, such as renowned fashion photographer Bruce Weber and Ivanka Trump, who enjoyed cocktails and hors d'oeuvres while they mingled with models wearing Abercrombie & Fitch throughout the evening.

“EXHIBIT E”

Subj: **Dad's Union #173**
 Date: 5/5/2005 10:46:23 AM Pacific Standard Time
 From: SCOTTKSWIFT
 To: Ddymtrow

Dan,

Bear with me. I need to vent. Have actually entered this into the Ripley's longest e-mail contest.

Got your e-mail and not sure how to respond. I can respond as a friend, I can respond as a brother, as a Dad or as Taylor's Dad. **I know one thing. No one is going to aid you and Taylor in becoming successful more than I will. I am your banker** (nothing drives that home more than your experience with SOL) **and I am your and Taylor's biggest fan.** I will sell a shit load of t-shirts.

My goal in this e-mail is for you to have a better perspective of how much I do, how much I have bankrolled you two and how much I have to deal with on the homefront. I am one of Taylor's custodians and I while you spend more time with Andrea, I want you to understand why I should be kept up to date with what is going on.

We are getting to a very important time in Taylor's career.

I sent a very positive e-mail to you and you bared your soul to me so I will let you in on what my world is all about.

Save this e-mail. Someday you will be a Dad and you will appreciate it. Doesn't matter how much you have accomplished in your life, when you come home, you are a Dad and a husband and even Disney trashes Dads. Don't laugh, you are going to be in the Dad's union and no matter how well you do with Brit or Tay, you are a Dad and your wife and kids will put you in your place. The good news is that your kids are all that matters. The rest is all crap. So you put up with it. Britney's kids won't care how great her career was. It's life.

I am currently on e-mail restriction from Andrea because I forwarded the Today show job that Chuck sent to me. I am not allowed to send Dan an e-mail unless Andrea approves it first. Can you even comprehend that? Welcome to my world. Send it to her or mention it to Taylor and there will probably be a quick divorce. :-)

Now I am glad I sent that e-mail to you. I can give you a better idea of what your banker's life is like.

Thank God over the years I do not pay attention to Andrea's rules. I'll explain later. Don't laugh. You'll be there. In the future, if you wonder about an e-mail I send you, please call me. Don't involve Taylor or Andrea. Just call me. Andrea thinks I talk to you everyday and bother you everyday. I don't. But I do something positive for Taylor and you everyday.

I am not quite the idiot that Andrea portrays me to be.

Keep in mind that I manage \$270 million but more importantly, 249 relationships with families at Merrill in a terrible market. My clients averaged 17.4% in a market when the rest of the complex averaged 3-8%. I am in the top 1% of all brokers at the most prestigious investment firm in the world. I manage a staff, I manage my clients lives, their money, I have moved my family to Nashville, cleaned out two houses, sold one. Handle all the mail, make all the address changes, changed all the registrations on the cars, boats etc. Jockeyed between Reading and Nashville, found out I had cancer with Good Morning America in my living room, had my prostate sucked out of my body by a robot on January 4th, was in diapers for 7 weeks and can't get a hard on. Everyone is running at full speed. We all have our own axe to grind. I actually have one less axe to grind.

One of the reasons I do so well with my clients is that I do plan, I do look at different scenarios, I always have a better plan than their attorney or accountant because I do talk and ask questions and that drives my wife crazy and pays all the bills. Welcome to my world. Don't laugh Dude, you are going to be there.

On top of that, you and Andrea have no idea how much time I have quietly and sometimes not so quietly stayed on top of Taylor's career while I am trying to balance all the other stuff.

My clients do not want to hear how much stress I am under or what I have done for another client or how much

time I have spent copying video tapes and sending them out when Taylor was 11. It is a cruel world but we have great lives and we move on. They want to know how their account is doing.

Don't laugh, because you are going to be a Dad and your kids are not going to care that you launched the biggest perfume launch. They are going to want their bike fixed, a new paintball gun. On the other hand, Britney and Taylor are not going to care that your kids kept you up all night.

I am going to do anything that I think is appropriate to do to advance Taylor's career.

Your involvement with SOL does not help me. If you feel bad, good. When I screw up, I feel bad, I learn from it but I never forget it. When you told me you invested and lost money, I felt bad but never could understand why you would put any money in that direction. Now you tell me that you got your Uncle involved? I could glad hand you like the rest of the world and tell you "that's okay Dan" but I won't. The guy had just fired his band, he probably has a tattoo of his old girlfriend on his dick, he had a very wealthy father in law and while I only spent a weekend with him, he was all over the board with goals. Is he a great guy. Yeah. But he needed your more than you needed him and he should have paid up for your services. Otherwise, it is too easy to walk. I would write SOL on a piece of paper, pay your Uncle's family back, the same way I will pay you back if DCDC does not work out, crumple the paper and move on. Everyone is back to where they should be. You brought the issue up. Taylor is worth your efforts. You hopefully will become very wealthy with Taylor.

When you first told me about SOL, my thought was that that was taking time away from Taylor and it did. You worried about it, it bothered you but I am not going to glad hand you and give you an A for great decision making. You get an A for Taylor. She is the best and will never disappoint you. Taylor will define your life's work. Luis of SOL never cared enough about himself (when someone has tattoos all over their body, there may be issues) or you to deserve your great management. Dan, you are the best. Do not take anything less.

Just remember, when you were funding SOL, you were sending me bills from Larry's Mother for \$118 in Federal Express bills. Go figure. Some things just make you go, "AHHHHHHHHHHHHHH" :-). That went over like a pregnant poll vaulter but I bit my tongue, Andrea told me I was an idiot for bringing it up to her, so I shut up.

I do not want to be Taylor's manager. We have the best one. But let me vent.

How did we get Dan Dymtrow?

Taylor's theatre group, which had never been invited to sing at Municipal Stadium in Reading for the Reading Phillies was asked to come out on Oldies day. Who on the board of directors suggested Oldies Day? I did. Who then offered up the cast of Grease, I did. Who had promoted his 11 year old at every board meeting to the point that when the guy who was supposed to sing the national anthem did not show, they came to Taylor and said "Can you sing the national anthem?". I did. Which led to the Harlem Wizzards national anthem because the person in charge of it was in the stands. Who video taped it? I did. Who then made copies and used old contacts to send it to the 76ers, while being told he was silly. I did. Who bought tickets for all of Taylor's friends to go support her when she sang in front of 23,000 fans. I did. Who got to sit in the car with her friends while Andrea and Taylor were getting first class treatment in the dressing room. I did. You will. That's not quite fair. Whose wife thinks I talk too much and promote Taylor too much. MINE. Share my pain please.

Who has made every single client listen to Taylor's latest song before we went over their financial plan?

Knoebels Grove, Bloomsburg Fair, Boy Scout Dinners, Chamber dinners. Took heat for all of it but it was part of the process. I kibitz (not allowed to say kibitz anymore) therefore I am.

Who then sent the 76ers tape to his attorney (all the time being goofed on) who was the president of the USTA. At that point, if Andrea was in charge, we would have talked to Kelly, gone to the US Open and left. Who sends tapes, CDs, songs, pictures etc and gets to know Kelly so that she feels comfortable enough to make the introduction to you? Who pays for absolutely everything? Who is the guy that gets goofed on for talking too much? Dad. Who filmed it all. Dad.

Who gets to go to New York, New England and every cool appearance. Not Dad. Can't fix hair. Dad talks too much. Who pays for trips to New York? Dad. Who makes sure and takes days off to make sure that whether it was Radio Disney, Brit's camp or any event that we had stuff to give away. CDs, frisbees, headshots. Who

even thought to put that stuff together? Who blew up 500 beach balls on the roof for Radio Disney? Dad. "We are going to Britney's camp but you and Austin can't come!" Who gets to babysit Austin? Who at the last minute has to find some place to print CDs? You got it. Dad. Who funds the whole process but does not get to come to the dance? Dad.

Who has made enough money that if we have to take off across the country, we will be okay? Who higher staff ahead of time so that we could move to Nashville. The idiot that lives with Andrea!!!!

Dad can be lonely place. Don't laugh, you are gonna be there!

You'll understand one day.

What about Nashville?

I invite Scott Sanford out to the lake. We do not talk about Taylor. He wants to see the lake. He sees our jet skis. He wants us to corral ducks for Nashville's Duck Drop. I agree to corral ducks if he lets Taylor be the talent at Riverfront Park for the Duck Drop. I take my boat towing two jet skis through the locks, 35 miles to Nashville. I herd and then have to pick up 15,000 little bastard rubber ducks to the point that my arms are falling off while my daughter is singing. That week the band ran up a \$3000 bill for practice. Fired Jamey. But her performance was good for her and created some buzz. Big effort. Yeah. Worth it. Who knows? Did I get to see Taylor's performance, uh actually, no because I was picking up 15,000 ducks out of the river. Not the brightest Dad but she did get a very high profile gig.

I connect with Bill Anderson. Taylor does his fan fair show. Good move. He says, "Every once in awhile someone comes to Nashville and creates a buzz. Maybe they are a good writer, maybe they are a good singer, this next girl has created the biggest buzz of anyone I have ever known, get to know her name, because you are going to hear it for 25 years". Bill is signed to Sony ATV and RCA. He was talking up Taylor all over the place. I video taped it. If I do not video tape, it does not happen. Keep in mind that I helped Bill in 1980 in Reading, I sold my \$10,000 dock to him for \$5000 last year knowing full well how much he can help me over the years, I found the pontoon boat he bought and I was the one that advised him that he should spend the money to clean up his Inlet because he can't take his money with him and where he is going, it would burn and he would be too busy talking to his friends to write a check. The memories with his grand kids were too important. He has thanked me over and over. Do I talk too much. Better believe it and it is in your best interest.

I call a reporter at the City Paper, explain that I used to be a reporter, stringer for the Associated Press and the Philadelphia Bulletin and I have a daughter who is a freshman at Hendersonville High School who is hanging in every Abercrombie and Fitch store and it might be a good article. I may have read them wrong but both Taylor and Andrea feel that I am overstepping and should let you handle things. The newspaper article comes out in the morning, WSMV sends their TV crew to the high school in the afternoon. Is Dad at the interview? No. Did the work. Got out of the way. Good for Dan and Taylor. Absolutely. Did it create a buzz. Yep, at RCA and everywhere else.

How did we get the Blue Bird? I stay in touch with Rob (who I think is one reason she got the Sony deal, they listened to the production, went to the website and listened to Taylor in person, loved that you were her manager).

We go to a 3 and one half hour writers night with Rob playing at the Blue Bird. Painful. It is over, Andrea wants to bolt, I go over and talk to Rob. "Rob, when are you going to get Taylor in here. You should get your young writers all together." He thinks it is a great idea, talks to Amy and the Blue Bird is in place. That is important because the newspaper article, the TV coverage, the appearance at the Blue Bird did not hurt for Good Morning America. Sometimes things just happen for the right reasons.

How did we find Scott Borchetta?

I was told under no uncertain terms not to send any more CDs to Frank Bell by Andrea. That was at song 5.

Right.

Without Frank Bell, Scott Borchetta does not know Taylor and we do not know him. The End.

I have know Frank for longer than I have known Andrea. On certain days, I like Frank more than I like Andrea. Frank would get in a car and drive to Nashville to save my life. He is the only one who was honest with Taylor and challenged her. And I am not supposed to send tapes so I sneak them out. I paid for the computer, I actually paid for your computer, I paid for the production, I have accomplished a great deal in my life and somehow I am not smart enough to judge what is going on. Frank knows Jimmy Harnen who is working with Ashley Gearing. Ashley's career irritates Taylor and she goes to a new level.

Frank tells me that there are two people that he wishes we could work with but they are both at Universal/Dreamworks, Jimmy Harnen and Scott Borchetta. He does not think it would be good for Taylor to be at Universal. That was three years ago.

Frank does a video with Taylor Swift music in his pocket. Sandy Borchetta does the Styling for the video (she was Reba's stylist for 15 years) and Frank plays Taylor's music. Most of it produced (I paid for and have never asked you for a dime) and some rough. He does not give it to her because I asked him not to. She goes home and fires up Scott. But we were tied up by RCA and Scott is now aware, Jimmy Harnen (who has left Universal to work with Jodi Messina) is now aware and blown away by Taylor. He also talks to Scott about her.

The whole time we were with RCA, every Label promotions person that called on Frank Bell got to listen but not have Taylor's music. He drove them crazy but I was not, according to Andrea, supposed to send stuff to Frank.

The press kit was not even going to go to Universal. Frank called and said send a press kit to Universal. Rendee addresses it to Luke Lewis who is on record and on Taylor's Good Morning America shot as hating kids. Frank calls and as the press kit is being picked up for delivery, Frank says, 'DO NOT SEND IT TO LUKE, SEND IT TO SCOTT BORCHETTA IS PROMOTIONS'. The press kit was headed out the door and Frank called. Scott was not A and R. He was the director of promotions. Now, Jimmy Harnen, who worked for Scott at Dreamworks, is at Capital as director of promotions and he loves us. The Blue Bird performance was important for Scott and maybe I talk too much but I am not hurting our cause. We would not know Scott Borchetta if I did not have a big mouth. Have one. Proud of it. Wait til you have a daughter. I will get so sick of looking at your soccer pictures but I will. Dad's are Dad's.

But see, I was not supposed to be in contact with Frank.

So I had to bite my tongue and do the right thing when you went to see Scott Borchetta with Taylor. It was the right thing for me not to be there but I want you to know how it came about that he even got the package. Vent time. Yeah, I have a big mouth. Frank could not believe that after all his work I was not at the meeting. I told him that it was the right thing and that I trusted it would all be good. He continued to work behind the scenes and always will. We will get major airplay in Pittsburgh.

I am going to do what I have to do to make you and Taylor successful. I am not going to get a lot of credit but understand that I am not a contractor or plumber that does not have a clue about how to help the process.

Did I have my SOL with Rendee and Jamey? You bet. Expensive fricken mistake. But it all happened when it did not matter, I had the money to correct the situation, we learned about leeches and check references.

When the RCA contract was four months into negotiations, I did step in. Andrea told me to let you handle it, you did not step in, but there is a point where as a Dad you know something is not going well and the contract between you and Taylor has taken so long for no reason at all. The RCA contract was being held up because they were negotiating over tutoring. Yes I stepped in. "What's the hold up?" When I found out it was tutoring, I could not believe it. There is no tutoring in a demo deal. If I had not stepped in, we would still be negotiating and looking stupid.

Your contract with us did not come to closure because of Andrea or you. I finally got involved. You thought we were dragging, we could not understand why you were dragging and someone had to get it done. But I am just the goofy Dad who talks too much. Vivien got mad because I was the pushy Dad when I was working in your best interests and Taylor. We had a handshake and that was good enough for me but someone. and it probably should have been you, needed to push the process.

I was told by Andrea to stay away from Arthur and Sony. Like I live in an institution and only get out on weekends. I had to quietly stop by Sony as soon as he made the offer. All I did was tell him that I really do not have anything to do with Taylor's career but if by some chance the attorneys got into a log jam, would he please call me. They did, he did and I helped to move that along before he lost total patience. He is best friends with Scott Sanford at RCA. I was able to fly under Andrea's radar and get it done. Good for Taylor. You bet.

Dan, when you told me about the SOL money you lost, I felt bad, but as your financial advisor I think that you should have been making a hell of a lot more money from Larry. **WE WILL ALWAYS TAKE CARE OF DAN DYMTROW!!!!!!** You should have never had to go to your Uncle and you should not have. I can't sugar coat that. Do not involve family members ever. All there is is downside. If you do, you must give them downside guarantees. You will not lose money in DCDC because I guaranteed it. The only way the SOL issue will pass is if you pay back your Uncle's family. If you need the money, I will lend it to you. You need to spend no more time on this.

But let's talk money. Okay. Andrea says I cannot send e-mails to you (I am not sure what conversations she thinks we have had) and she is mortified that I would ever think to bring up money that we have invested in Taylor and the move.

I am not about money and Taylor is not and I know you are not but you should know what has been spent.

There is no money that you spend on your children that you mind. But I wish I had a banker like you and Taylor have.

When you say "Let's do I Am Every Woman" it was a great idea. But the total production on it was \$4600 not counting the stuff Andrea may or may not have bought while over in Rob's neighborhood where all the shops are. I had to ask to find out where that song and "Your Face" were. Andrea told me not to ask. You were not updating me. I had \$7600 tied up in production and I am supposed to not question it? I take my banker out to lunch once a month. Because I paid Rob ahead of any production, unlike anyone else in Nashville, when you called for The Outside, he dropped everything and did it. But we pay our bills and I know how these guys are. We are the only ones that pay ahead. Dumb. No. Smart business. I will get burned but in general, I will always have their attention.

Here's the short story. There is in excess of \$150,000 of hard dollars spend on travel, lessons, production (\$29,000 not counting duplication), website (not too many artists come with a website like ours) and I know that is not the total value. There are few months that we do not get a \$500 bill from Mad Dancer on the website. Ronnie was worse. Original cost was \$5000. Have I complained. No.

As a financial planner, is it fair to Austin that Taylor is taking her half of the estate now? Probably not. :-)

The move (delightful as it has been) involved moving out of two houses and all the crap you had to put up with times 10. The expense has been over \$200,000 not counting that I am being taxed in Pennsylvania and Tennessee (this year is was \$31000). Now admittedly, some of this was furniture etc but without us moving here, Taylor is not where she is today. I changed the phone numbers, I changed the boat registrations, I changed the car registrations, I changed the addresses and the all my registrations with Merrill. I commuted back and forth from Reading, managed my staff. Do I need to vent every once in awhile. Yes.

Sold the shore house because it is so far away. Yes we made a nice profit (bought for \$400,000, sold for \$2,425,000) but New Jersey put a mansion tax on and I get to pay them \$158,000 and it pushes me into AMT (see Jill) and I lose the 15% capital gains and pay another \$500,000. Been going there for 52 years. Someday you'll be a Dad.

This is a huge commitment.

Regret any of this. No. But if I am the one that has to go into Nashville and spend a day in court while Andrea is in Los Angeles. If I am the one that has to spend a half day setting up trusts for Taylor. If I am the one that pays the lawyers and pays Andrea's way and takes care of you with \$5000 bonuses, I would like some return on my investment.

If you are headed to Nashville with one appointment with Warner Bros and you call me to call Sony and Vivien

to call RCA. No problem. But I specifically did not call Sony because I knew how negative he was on kids. I have to stay home because Andrea thinks I might say something stupid (gosh, I may have a different style than anyone else but I am at the top of Merrill because I apparently know how to work relationships). Just wait until you are married and every word you say is analyzed by a wife. It is a thing of beauty.

So who gets called at his office to complain how negative Cliff was to you. Me. Who comes out smelling like a rose. You. Who wanted the appointment? You.

How did we get the relationship with Taylor Guitars? Because once Taylor bought her first guitar, I called the company and kept them up to date with what Taylor was doing. We made a special CD for Bob Taylor and I now help Bob Borbonus in many ways. He has become a good friend. A huge hook was your management of Taylor and their intrigue as to where that was going but I made sure that they were in touch with what we are doing. Taylor's appearance in their magazine and in Anaheim helped you and Taylor.

You have the luxury of having a family that handles the website, handles taking Taylor to Nashville for writing sessions (and sitting in the car for two hours), drops everything when you ask us to and has not burdened you with any financial responsibilities.

We are at a critical time. You know it. I know it. I know you have been busy.

I need to not get my information thru Taylor (who you do a great job of contacting) or Andrea.

I can make suggestions that dazzle attorneys and accountants. I may have one or two ideas that you have not thought about.

You should know when Sony is paying Taylor. You should know about the process of setting up the trusts etc and where it stands because I cannot pay you until it is totally court approved.

Two final points.

When you talk deal points to Andrea, please understand that I generally do not get told the conversation and she does not know who our mortgage is with, who does our insurance, who is our accountant, what is the balance in the checking account or how much I made last year.

I am not putting her down. She would rather have molten lead poured on her forehead than talk about finances.

I am the one that will get the blame if anything goes wrong. I have some thoughts.

Scott Borchetta has never been and will never be the typical record guy. Like you, there is something special about Scott. I know you have been molested by Jive but you are going to tell me I was right years from now. He lives and dies for his artists. This is not from him, but from people who have had to go up against him.

Taylor is the way you can get the yoke off your back about how good you are. My Dad would not let me go to work for him because he said if I was successful, they would say it was because of him and if I failed they would say "It is a shame he could not live up to his father's expectations." Manage Taylor to greatness as a writer (one strategy), as a singer (another strategy) and as an eventual movie star (she has the talent) and people will know how good you are.

When we talk on Friday let's limit it to 10-15 minutes.

I want to talk every week to you because I am paying the bills but I do not want to tie you up too much.

If you have a problem with an e-mail from me. Tell me.

We need to prepare as a family and maybe you have laid out a plan with Taylor and Andrea but they have not communicated it with me. Do we take off as a family or do we break up the family and Austin and I live here and Taylor and Andrea hit the road? What would be your best guess on what happens the next two years? What kind of money are we going to sink in? Now that we can start paying you out of Sony, what is your responsibility.

Who is going to be our attorney? I thought Lewit was a known entity.

I will talk tomorrow.

If I mention a Jim Reeves investment, please don't discuss it with my daughter who treated me like I was an idiot for trying to lock up 32% return. "Dan does not even know who Jim Reeves is....." You are a God. I am just a dumb Dad. Don't laugh. You are going to be here.

Wait til you are Dad. It is a bazaar land to live in.

Finally, if you want to get rid of me, please forward this to Andrea.

I will then move out of the country because like you in 15 years, if not now, you will live in fear of your wife!!!!!!!!!!!!!!!!!!!!!!!!!!!!

:-) One very last thing.

That is the last positive e-mail I ever send you!!!!

Now I have to get back to work so I can pay for some event that I won't get to go to.

You know I love you and I will do anything to help you and Taylor.

You could have a worse Dad to work with and no finances which of course will happen if you mention this e-mail to Taylor or Andrea since I am on e-mail restriction to you!

Don't laugh.

Scott Swift
Dad's Union #173

Subj: **Fwd: New Co-write**
Date: 3/1/2005 5:48:20 PM Pacific Standard Time
From: Ddymtrow
To: DMandEnt

Forwarded Message:

Subj:	New Co-write
Date:	2/12/2005 9:49:11 AM Pacific Standard Time
From:	<u>SCOTTKSWIFT</u>
To:	<u>Ddymtrow</u>

Dan,

Taylor wrote with Scooter Caruso. He is the guy that wrote Kenny Chesney's latest release. He wants to produce the song. (that is always a good sign when the writer likes it that much)

Hope all is well.

Going out in the boat to get diesel.

Taylor's big dance, The Snow Ball, is tonight. We are all excited.

I always tell you but thank you so much for making our lives magical. We wouldn't be in Nashville if it wasn't for you.....hey wait a minute....that move cost me a fortune....hey you're killing me.....and we love it.

Give Jill hugs.

Scott